

REMARKS/ARGUMENTS

Claims 1, 2, 4, 8-18 are pending with the entry of this amendment.

New Claim 17 and 18 stem from previously cancelled Claims 5 and 6 respectively.

The features previously presented in dependent Claim 3 have been incorporated into Independent Claim 1, and therefore does not require a new search. Furthermore, the Office Action has never addressed all the limitations in Claim 3, and therefore the applicant is entitled to a new Office Action.

As mentioned in the present application, it is the object of the invention to provide an electric motor which is small and can be manufactured inexpensively. Therefore, for manufacturing the motor of the invention, it is important that the plastic body enclosing the stator and forming the rotor chamber is integrally formed as one component into which both bearing seats are integrated, thus eliminating the need for additional components to be assembled for this function.

Also, none of the other references shows a housing which is integrally formed in a one-piece construction. In other words, the integrally formed chamber including two bearing seats is the decisive difference over the cited prior art.

Claim rejections-35 USC § 102 The Office Action improperly rejected Claims 1-3, 7-10 and 16 as being anticipated by Hogue.

Claim 1 recites *inter alia* :

“the plastic body which surrounds the stator is an integral one piece molded body defining a first bearing seat for receiving a first bearing at the first shaft end and a second bearing seat for receiving a second bearing at the second shaft end in an interior wall of said chamber”.

The Office Action has failed to provide the feature of an integral one piece molded body (integrally formed in one molding procedure as previously described in Claim 3).

Hogue’s motor housing (body) is a multi-piece body. Hogue states

“The lower set of threaded inserts 101 are located on a level adjacent the bottom wall of the sump for receiving fastening screws 103 that are used to attach a removable end bell 104 over the rotor bore of the motor housing” Col. 5 lines 68-71

and

The lower journal 128 is adapted to be positioned in the bottom bearing 120, while the upper journal 129 is adapted to be positioned in an upper bearing 130 of sintered bronze or the like material that is supported by the removeable end bell 104” Col 7, lines 44-48

The upper bearing 130 is attached to the removable bell 104 and thus is not integral to the motor housing containing the stators and defining the chamber, therefore Hogue cannot anticipate Claim 1.

Claims 2,4, 8-10 and 16 depend from claim 1. Each of the dependent claims are at least deemed patentable by virtue of their dependence from an otherwise patentable claim 1. Accordingly, additional reasons for patentability of the dependent claims need not be addressed here.

The rejection of Claims 1, 2, 4, 8-10 and 16 must therefore be withdrawn.

Claim Rejection 35 USC §103

The Office Action has improperly rejected Claims 1-4, 7, 8 and 10-16 as being unpatentable over Turk in view of Halm.

The Office Action acknowledges that Turk does not show a bearing seat for receiving the roller bearing at the second shaft end integrated in an interior wall of the chamber. However, Turk does not have an integral body as defined in Claim 1 that has a bearing seat. In Turk the shaft extends through an opening 40 in the end portion 39 (of the pump body 11) as by means of a sleeve bearing 42. Col 2, lines 65-71.

The plastic body 25 of Turk is not integral with the end portion 39 of the pump body and therefore cannot meet the limitations in Claim 1.

The addition of Halm to provide a second bearing seat does not obviate the deficiency in Turk with regards to the integral plastic body since the chamber in Halm is defined by casing 20, flange 16 and end plate 1 and not a integral plastic body as required in Claim 1.

Claims 2, 4, 8 and 10 -16 depend from claim 1. Each of the dependent claims are at least deemed patentable by virtue of their dependence from an otherwise patentable claim 1. Accordingly, additional reasons for patentability of the dependent claims need not be addressed here.

Therefore the rejection of Claims 1, 2, 4, 8 and 10-16 is improper and must be withdrawn.

The Office Action improperly rejected Claim 9 as being unpatentable over Turk in view of Halm and further in view of Berger.

The Office Action acknowledge that Turk and Halm does not show a coil flux guide connected to the shaft stub ends. The Office Action attempts to correct this deficiency with the addition of Berger.

However, Berger fails to obviate the deficiencies of Turk and Halm with respect to the integral plastic body as discussed above. Berger does not teach an integral plastic body as defined in Claim 1 and therefore the combination of Turk, Halm and Berger do not teach all of the features in Claim 9 and thus cannot render the claims unpatentable.

The rejection of Claim 9 must be withdrawn.

The Office Action improperly rejected Claim 1 as being obvious over Halm in view of Takahasi.

The Office Action has failed to demonstrate how Halm discloses the limitations of Claim 1. The Office Action has only opined that “Halm supports the shaft at both ends” and that Takahashi couples the shaft with a pump impeller. Therefore, on its face the rejection is wholly improper as the Office Action has failed to present a prima facie case of obviousness.

Furthermore Halm as discussed above, discloses a chamber defined by casing 20, flange 16 and end plate 1, and therefore cannot disclose an integral plastic body as required in Claim 1.

The rejection of Claim 1 is improper and must be withdrawn.

CONCLUSION

The Applicant has highlighted that a clear non obvious difference of the invention as described in the current claims and the cited prior art is that the motor housing, i.e., plastic body, is integrally formed, i.e., it is a one-piece component, and at each end includes a bearing seat into which respective bearings are inserted. None of the prior art references teach such a feature. Therefore the Applicants request withdrawal of the rejections and allowance of the application including Claims 1, 2, 4, 8-18.

Although an extension of time is not deemed necessary at this time, the Office is hereby authorized to charge any appropriate extension fee to Deposit Account No. 04-1679, Duane Morris LLP.

Respectfully submitted,



Mark C. Comtois	Reg. No. 46,285
L. Lawton Rogers, III	Reg. No. 24,302
D. Joseph English	Reg. No. 42,514
Patrick D. McPherson	Reg. No. 46,255

DUANE MORRIS LLP
1667 K Street, N.W., Suite 700
Washington, DC 20006
Telephone: (202) 776-7800
Telecopier: (202) 776-7801

Dated: **February 28, 2005**